



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

IP STRATEGIES
12 1/2 WALL STREET
SUITE E
ASHEVILLE NC 28801

COPY MAILED

AUG 13 2009

OFFICE OF PETITIONS

In re Application of
Glenn Rolus Borgward
Application No. 09/508794
Filing or 371(c) Date: 06/01/2000
Attorney Docket Number: GRUNP62

:
:
: **DECISION**
: **ON PETITION**
:

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed June 3, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action of June 8, 2006. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2), an amendment that prima facie places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(III)(A)(2). Applicant filed a RCE and Amendment on October 5, 2006; however, the Amendment was non-compliant. Applicant was so notified in a Notice of Non-Compliant Amendment, mailed October 12, 2006. Accordingly, the date of abandonment of this application is September 9, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee; a compliant Amendment as the submission required by 37 CFR 1.114; (2) the petition fee; and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.

This application is being referred to Technology Center AU 2629 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted with the petition in accordance with 37 CFR 1.114.

/Derek L. Woods/
Derek L. Woods
Attorney
Office of Petitions